

Application No. 10/606,786
Supplemental Response to Office Action dated March 6, 2009

REMARKS

Initially, Applicants would like to thank Examiner Arnold for the courteous and helpful Interview conducted October 13, 2009, the substance of which is reflected in the comments below.

During the Interview, the data in the currently submitted Rule 132 declaration was discussed. This data compares compositions containing only water, a silicone containing quaternary ammonium groups and a fatty compound (either a liquid fatty alcohol as required by the claims or a solid fatty alcohol). This data demonstrates that the required combination of ingredients (including liquid fatty alcohol) results in transparent compositions having lower NTU values than the comparative compositions (containing solid fatty alcohol).

Claim 1 has been amended to reflect this transparency, requiring the composition to have a turbidity of 300 NTU or less, support for which exists at page 37, lines 1-5 of the present application.

Claims 1, 4-6, 9 and 11-48 are currently pending, although claims 44-46 have been withdrawn from consideration. Upon indication of allowable subject matter, Applicants currently intend to seek rejoinder of withdrawn claims as appropriate pursuant to MPEP § 821.04.

The Office Action rejected claims 1-7, 10-14, 17-20, 28-31 and 34-43 under 35 U.S.C. § 103 as obvious over U.S. patent 5,876,705 (“Uchiyama”) in view of U.S. patent 4,390,522 (“Jacquet”), U.S. patent 6,214,326 (“Dupuis”) and U.S. patent 6,224,888 (“Vatter”). In view of the comments in Applicants’ September 4, 2009, Amendment as well as the Rule 132 declaration submitted concurrently herewith and the above claim amendment, Applicants respectfully request reconsideration and withdrawal of these rejections.

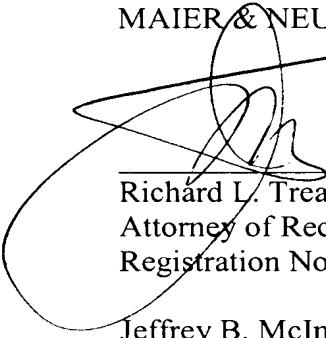
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For all of the above reasons, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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